

... her former Beauty is all the year, indeed to a wretched life. For the greatly increased  
of Strangers in y' Number of y' Charnes, maintains the same wretched appearance  
that thro' all the vicissitudes of y' seasons, ~~just as if her own~~  
of old Boxes, Stability, tells no other Concern amidst the  
general Destructiction than arises from a generalis Symphaty  
for her once gay but now wither'd Companion.

anno Regni Regis GEORGII Tertia Duodecimo.

1772

Supply of the Treasury.

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## Acts and Laws,

Passed by the Great and General Court or Assembly  
of His Majesty's Province of the *Massachusetts-Bay*  
in *New-England*: Begun and held at *Cambridge*, in  
the County of *Middlesex*, upon Wednesday the  
twenty-ninth Day of *May*, 1771; and then conti-  
nued by several Prorogations unto Wednesday the  
eighth Day of *April* following, and then met.

### C H A P. I.

#### An Act to Supply the Treasury with the Sum of eight Thousand five Hundred Pounds.

WHEREAS there was no Provision made by this Court at their  
last Session for Support of Government for the then ensuing Year;  
and whereas the Treasurer has represented to this Court that he Preamble.  
has a sufficiency in the Treasury for that purpose which is not appro-  
priated.

Be it therefore enacted by the Governor, Council and House of Re-  
presentatives, That the Treasurer be and he hereby is directed and im-  
powered to apply the aforesaid Sum of *eight Thousand five Hundred*  
Appropriations of 8500  
Pounds, to discharge such Warrants as shall be drawn on him by the Go-  
vernor, with Advice of Council, to be paid out of the following Approp-  
riations, viz. the Sum of *three Thousand* Pounds, part of the aforesaid  
Sum of *eight Thousand five Hundred* Pounds, shall be applied for the  
payment of the Grants made or to be made by this Court, and the fur-  
ther Sum of *three Thousand eight Hundred* Pounds, part of the aforesaid  
Sum of *eight Thousand five Hundred* Pounds, shall be applied for  
discharge of Debts owing from this Province to Persons that have served

6 C

and

Supply

and shall serve them by Order of this Court in such Matters and Things where there is no Establishment, nor any certain Sum assigned for that purpose, and for Writing, Printing and Paper for this Court, and such Repairs of the Province House, Court House, and Light Houses, as shall be made by Order of the General Assembly and for the Light Houses, built on *Thacher's Island*; and the further Sum of *one Hundred Pounds*, part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for *Commissaries* disbursements; and the further Sum of *six Hundred Pounds*, part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for the payment of the expences of *Fort Pownall*; and the further Sum of *one Thousand Pounds* part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for the payment of His Majesty's Council and the Members of the House of Representatives serving in the Great and General Court in the present Year.

## C H A P. II.



An Act for continuing an Act intituled, An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned.

Preamble.

WHEREAS the Act intituled, *An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned, made in the fifth Year of His present Majesty's Reign is near expiring, and having been found useful and beneficial.*

Continuation.

Be it therefore enacted by the Governor, Council and House of Representatives, That the Act aforesaid be continued, with all and every Article, Clause, Matter and Thing therein contain'd, and shall be in Force from the End of the present Session of the General Assembly, to the End of the next Session of the General Assembly, and no longer.

## C H A P. III.

An Act for continuing an Act intituled, An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping.

Preamble.

WHEREAS the Act intituled, *An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping, made in the Eleventh Year of His present Majesty's Reign, will expire at the End of the present Session of the General Court.*

Continuation.

Be it therefore enacted by the Governor, Council and House of Representatives, That the Act aforesaid be continued, with all and every Article, Clause, Matter and Thing therein contained, and shall be in Force for the Term of one Year from the twenty seventh Day of April 1772, and no longer.

CHAP.

C H A P IV.

An Act in Addition to an Act made in the Fifth Year of the Reign of His present Majesty, intitled, An Act to prevent the destruction of Oysters in the several Bays and Rivers hereafter mentioned within this Province.

WHEREAS it has been the practice for some Years past, for Persons to come with their Vessels and Boats into the Rivers and Bays, lying either in the Towns of Wellfleet, Freetown, Swansey, Dartmouth, Barnstable, Yarmouth, and in other of the Bays, Ports and Rivers within this Province, then and there to rake the Oyster Beds, carry away from thence large Quantities of Oysters; by means whereof said Beds are almost destroyed, to the great Prejudice both of the English and Indian Inhabitants living in or near the Towns aforesaid; which recited Act is found insufficient to prevent the Destruction of Oysters in the District of Wellfleet, in the County of Barnstable, (within the Bay commonly called Billingsgate Bay) by reason that many Persons in the District of Wellfleet, and in the Towns adjacent to Billingsgate Bay, make it a constant Practice to take, Rake and Sweep the Oyster Beds lying within said Billingsgate Bay, principally in said District of Wellfleet, but partly in the Township of Eastham at unreasonable Times for the sake of Gain, by carrying Oysters to Boston and other Ports in hot Weather, in which Season the Oysters so taken are not so wholesome, but it more especially prevents their Growth by taking them in the time of their Spawning, so that the valuable Branch of Business of taking Oysters in the Bay aforesaid is in great Danger of being spoiled, and the Oyster Beds totally ruined to the great Detriment of the District of Wellfleet and Town of Eastham, to the prejudice of the Public in general: For Prevention whereof for the future:

Be it enacted by the Governor, Council, and House of Representatives, That if any Person or Persons shall after the first Day of May, and before the twentieth Day of September, Annually during the continuance of this Act presume to take any Oysters in Billingsgate Bay before mentioned, in any Part thereof, or to take or Sweep said Oyster Beds within the Times herein prohibited, he or they shall forfeit for every Offence the Sum of ten Pounds, to be recovered by Action of Debt or Presentment of a Grand Jury in the County of Barnstable, one half thereof to him or them that shall sue for the same or inform the Grand Jury, and the other half to his Majesty for the use of this Government.

Be it further enacted, That if any Person or Persons shall sell or dispose of any Oysters taken contrary to this Act, shall for every Offence forfeit forty Shillings, to be recovered by Action of Debt or Presentment of a Grand Jury in any Court of this Province where the Offence is committed; the last mentioned Forfeiture to be disposed of in Manner as aforesaid.

Provided always, That nothing in this Act shall be construed to hinder and obstruct any of the Inhabitants of the Town of Eastham, or District of Wellfleet, in taking Oysters in said Bay to eat Fresh in their own Families within the Times mentioned in this Act.

This Act to continue and be in Force from the first Day of May 1772, to the first of November 1775.

C H A P.

Forfeiture for  
Selling Oysters so taken.

How to be Re-  
covered, and  
Applied.

Preamble.

Recital.

## C H A P. V.

An Act to determine the Share which the Polls in the District of Greenfield shall pay, of the Sums to be Assessed in the said District for the Time therein limited.

Preamble.

WHEREAS the Inhabitants of the District of Greenfield, are apprehensive that an Assessment upon the Inhabitants of the said District agreeable to the general Law of this Province respecting the Proportion of Taxes on Polls and Estates, (for want of a true and just Valuation) will be very unequal and oppressive, and has for Years past been found productive of many Evils to said District. For remedy whereof:

Be it enacted by the Governor, Council, and House of Representatives, That the Assessors of the District of Greenfield, for the Time being, be and hereby are authorized and directed from Time to Time, to Assess on the Inhabitants of said District, liable by Law to be Taxed, in the following Manner, (until a new Valuation of the Estates in this Province shall be compleated, and a Tax shall issue thereon,) viz. That one Moiety of all the Taxes that shall hereafter be laid on said District shall be assessed on the Polls; the other on the Estates Real and Personal of the Inhabitants of said Greenfield; the Assessors observing the same Rules and Directions in all other Respects as by Law is already provided: And that every Thing the said Assessors shall do agreeable to this Act, shall be deemed good and valid, to all Intents and Purposes, with the Restrictions above specified, any Law or Usage to the Contrary notwithstanding.

## C H A P. VI.

An Act to prevent any Persons obstructing the Fish in their passing up Spruce Creek, so called, in a branch of Piscataqua River that flows into the Town of Kittery, and taking and catching them therein with Seines.

Preamble.

WHEREAS the Method for taking and catching Fish in a certain branch of Piscataqua River flowing into said Kittery, called Spruce Creek, hath by experience been found greatly tending to obstruct the Fish in their passing up into said Creek, and thereby depriving the Poorer sort of People of the necessaries of Life: For remedy whereof,

Be it enacted by the Governor, Council and House of Representatives, That no Person or Persons whatsoever, from the first Day of May next, during the continuance of this Act shall presume to take, kill or hale ashore Forfeiture for any Fish with Seines in the said Creek or any part thereof, upon pain of takeing Fish Forfeiting upon each and every Offence on due Conviction thereof, the contrary to Sum of thirty Shillings; to be recovered by Action, Bill or Plaintiff before any of His Majesty's Justices of the Peace for the County of York, the one half of the said Forfeitures to be to and for the use of the said Town of Kittery, the other half to him or them who shall sue for the same.

Continuation. This Act to continue and be in Force for the space of three Years from the first Day of May next and no longer. CHAP.

C H A P. VII.

An Act for continuing an Act intitled, "An Act for allowing necessary supplies to the Eastern Indians, and for regulating Trade with them, and for preventing Abuses therein."

WHEREAS the Act intitled, "An Act for allowing necessary supplies to the Eastern Indians, and for regulating Trade with them and for preventing Abuses therein," made in the fifth year of his present Majesty's Reign, is near expiring, and the same having been found beneficial for regulating the Trade with the same Indians.

Be it therefore enacted by the Governor, Council, and House of Representatives, That the Act aforesaid be continued with all and every article, clause, matter and thing therein contained, and shall be in force for the term of one Year from the twenty-eighth of April One thousand seven hundred and seventy-two, and from thence to the end of the then next Session of the General Court and no longer.

Preamble.

Continuation.

C H A P. VIII.

An Act for reviving and continuing sundry Laws that are expired or near expiring.

WHEREAS the several Acts herein after mentioned, which are now expired or near expiring have been found useful and beneficial, Viz. One Act made in the thirteenth Year of the Reign of his late Majesty King George the Second, intitled an Act for the effectual preventing of Horses, neat Cattle, Sheep and Swine, from running at large, or feeding upon a certain Island called Plumb-Island, lying in Ipswich Bay in the County of Essex: One Act made in the fourteenth Year of the same Reign, intitled, an Act to prevent Damage being done to the Harbour of Cape Cod, by Cattle and Horse-kind feeding on Province Town Land: Three Acts made in the sixteenth Year of the same Reign; one intitled, an Act in addition to an Act for rendering more effectual, an Act for regulating the Assize of Cask, and preventing Deceit in packing of Fish, Beef and Pork for Sale, made in the fourth Year of the Reign of King William and Queen Mary; and also for preventing Fraud and Injustice in the measuring of Grain; another Act intitled, an Act to prevent Damage being done unto Billingsgate Bay in the Town of Eastham, by Cattle and Horse-kind and Sheep, feeding on the Beach and Islands adjoining thereto; the other Act intitled, an Act to prevent the multiplicity of Law Suits: Two Acts made in the seventeenth Year of the same Reign; one intitled, an Act for preventing Mischief by unruly Dogs on the Island of Nantucket; the other Act intitled, an Act for preventing the Destruction of White Pine Trees within this Province, and for encouraging the Preservation of them for the Use of the Royal Navy: One Act made in the eighteenth Year of the same Reign, intitled, an Act in addition to an Act for preventing Damage to the Harbour of Cape Cod, by Cattle and Horse-kind feeding on Province Town Lands: One Act made in the twentieth Year of the same Reign, intitled, an Act to prevent Damage being done unto Noffet Meadow by Cattle and Horse kind feeding on the Beach adjoining thereto: Two Acts made in the twenty-fourth Year of the same Reign; one intitled, an Act providing for the support of Ministers in New Plantations;

Laws revived and continu'd  
To prevent Horses, &c.  
on Plumb Is-  
land, in Ip-  
swich Bay.

To prevent  
Damage to  
Province Town  
Lands.  
Regulating  
Assize of Cask,  
& preventing  
deceit in pack-  
ing Fish and  
measuring  
Grain.

To prevent  
damage on  
Eastham Beach

To prevent  
Law Suits.

To prevent  
mischief by  
Dogs on Island  
of Nantucket.

White Pine  
Trees.

To prevent  
damage to har-  
bour Cape Cod.

To prevent da-  
mage to Noffet  
Meadow.

Support of  
Ministers.

Act for Regulating Fences, Cattle, &c. One Act made in the twenty-seventh Year of the same Reign, and Cattle. Act to empower the Proprietors of the Meeting-House in the first Parish in Salem, where the Reverend Mr. *Dudley Leavitt* now officiates, to raise Money to defrey Ministerial and other necessary Charges: Three Acts made in the twenty-eighth Year of the same Reign, one intituled, an Act for the securing the Growth and Increase of a certain Parcel of Wood and Timber in the Township of *Ipswich* and *Wenham*, in the County of *Ely*; another Act intituled, an Act for appointing Assayers of Pot Ash and Pearl Ash; the other Act intituled, an Act to prevent Damage being done on the Beach, Hamocks and Meadows belonging to the Town of *Scituate*, lying between the Southerly End of the third Cliff so called, and the mouth of the North River: Two Acts made in the thirtieth Year of the same Reign, one intituled, an Act for further regulating the Course of Judicial Proceedings; the other Act intituled, an Act to prevent Damage being done unto *Billinggate* Bay in the Town of *Eastham*, by Cattle and Horse-kind and Sheep feeding on the Beach and Islands adjoining thereto: One Act made in the thirty-first Year of the same Reign intituled, an Act in addition to the several Acts for the better regulating the Indians: One Act made in the thirty-second Year of the same Reign intituled, an Act in addition to an Act intituled, an Act for the regulating of Fences, Cattle &c. One Act made in the thirty-third Year of the same Reign intituled, an Act to prevent Damage being done on a Beach at *Monument Ponds*, in the Township of *Plymouth*, lying between the Lands to the late *Thomas Clark* and *Joseph Bartlet* Deceased, and on a certain Tract of marshy Ground lying under Water there: Two Acts made in the first Year of his present Majesty's Reign, one intituled, an Act for preventing the Stealing and Clandestinely conveying Sheep away from the Island of *Martha's Vineyard*, in *Dukes County*; the other Act intituled, an Act establishing a Watch for the Safety and better securing the Good Order of the Town of *Boston*: Two Acts made in the fourth Year of the said Reign; one intituled, an Act to empower the Proprietors of the Meeting-House in the Town of *Newbury-Port*, where the Reverend Mr. *Jonathan Parsons* officiates, to raise Money to defray Ministerial and other necessary Charges; the other Act intituled, an Act in addition to the Act intituled, an Act to prevent the unnecessary Destruction of Alewives in the Town of *Middleborough*: One Act made in the ninth Year of the said Reign intituled, an Act to empower the East Precinct in *Salem*, where the Reverend Mr. *James Diman* now officiates, to raise Money for defreying Ministerial and other necessary Charges of said Precinct.

*Be it therefore enacted by the Governor, Council and House of Representatives, That such of the before mentioned Acts as are now expired be revived; and such of the said Acts as are not yet expired be continued, with all and every Clause, Matter and Thing therein respectively contained, and shall be in Force until the first Day of November, One thousand seven hundred and seventy five, and from thence to the end of the then next Session of the General Court, and no longer.*

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Printers to the Government. 1772.



Act for Regulating Fences, Cattle, &c. One Act made in the twenty-seventh Year of the same Reign, and Cattle. the other Act intituled, an Act in addition to an Act for regulating Fences, and Cattle. Act to empower the first Parish in Salem, where the Reverend Mr. Dudley Leavitt now offici- power the first Parish in Salem, where the Reverend Mr. Dudley Leavitt now offici- proprietors of aces, to raise Money to defrey Ministerial and other necessary Charges: the first parish Three Acts made in the twenty-eighth Year of the same Reign, one in- in Salem. titled, an Act for the securing the Growth and Increase of a certain Par- Act for secur- cel of Wood and Timber in the Township of Ipswich and Wenham, in the County of Essex; another Act intituled, an Act for appointing Assayers of wood & timber in Ipswich and Wenham. and Wenham. Act appoint- mage being done on the Beach, Hamocks and Meadows belonging to the Town of Scituate, lying between the Southerly End of the third Cliff so called, and the mouth of the North River: Two Acts made in the thir- Act to prevent damage to the Beach at Scituate. tith Year of the same Reign, one intituled, an Act for further regulating the Course of Judicial Proceedings; the other Act intituled, an Act to pre- vent Damage being done unto Billingsgate Bay in the Town of Eastham, by Cattle and Horse-kind and Sheep feeding on the Beach and Islands adjoining thereto: One Act made in the thirty-first Year of the same Reign intituled, an Act in addition to the several Acts for the better regu- lating the Indians: One Act made in the thirty-second Year of the same Reign intituled, an Act in addition to an Act intituled, an Act for the regula- ting of Fences, Cattle &c. One Act made in the thirty-third Year of the same Reign intituled, an Act to prevent Damage being done on a Beach at Monument Ponds, in the Township of Plymouth, lying between the Lands to the late Thomas Clark and Joseph Bartlet Deceased, and on a certain Tract of marshy Ground lying under Water there: Two Acts made in the first Year of his present Majesty's Reign, one intituled, an Act for pre- venting the Stealing and Clandestinely conveying Sheep away from the Island of Martha's Vineyard, in Dukes County; the other Act intituled, an Act to prevent an Act establishing a Watch for the Safety and better securing the Good stealing Sheep Order of the Town of Boston: Two Acts made in the fourth Year of the at Martha's said Reign; one intituled, an Act to empower the Proprietors of the Meet- ing-House in the Town of Newbury-Port, where the Reverend Mr. Vineyard. Act establish- ing Watch in Jonathan Parsons officiates, to raise Money to defray Ministerial and the Town of other necessary Charges; the other Act intituled, an Act in addition to the Boston. Act intituled, an Act to prevent the unnecessary Destruction of Alewives in the Town of Middleborough: One Act made in the ninth Year of the said Reign intituled, an Act to empower the East Precinct in Salem, where the Reverend Mr. James Diman now officiates, to raise Money for defreying Ministerial and other necessary Charges of said Precinct. Act empower- ing Proprietors of the Meet- ing in Newbu- ry-Port. Act to prevent the destruction of Alewives in Middleborough. Be it therefore enacted by the Governor, Council and House of Re- presentatives, That such of the before mentioned Acts as are now expired be revived; and such of the said Acts as are not yet expired be continued, with all and every Clause, Matter and Thing therein respectively con- tained, and shall be in Force until the first Day of November, One thou- sand seven hundred and seventy five, and from thence to the end of the Salem. Continued to then next Session of the General Court, and no longer. 1st Nov. 1775.

21 JY 60

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Printers to the Government. 1772.

